

REMARKS

In the instant Office Action, the examiner allowed claims 1-8 and rejected the remaining claims 9-16. Claim 9 is an independent apparatus claim corresponding to allowed independent method claim 1 and claims 10-16 stand as dependents of claim 9. While the applicant made numerous minor amendments in the claims to address informalities in the claim numbering style, the applicant's below remarks chiefly focus on the substantive amendments made to rejected claim 9, as the applicant believes that such amendments place claim 9 and its dependent claims in condition for immediate allowance.

First, the applicant is grateful for the examiner's clear statement of allowable subject matter. The examiner noted that the prior art does not teach a method wherein a laser beam is moved along a path on a substrate to remove a first layer of the substrate along that path and thereby reveal an underlying second layer, and then moved along the same path to remove that second layer. Claim 9 as amended above includes these allowable limitations and it is believed that the amended claim language more affirmatively sets out those details.

The applicant thus believes that amended claim 9 directly incorporates the allowable subject matter indicated by the examiner and thus stands in condition for immediate allowance, along with its dependent claims 10-16. As such, the applicant respectfully believes that the examiner's rejection of claim 9 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,140,606 (the '606 patent) is now moot.

On that point, the applicant emphasizes that amended claim 9 now includes the limitation that the relative motion generating means of the claimed apparatus is "configured to effect relative lateral motion between the said laser movement between the said laser focus point and the said substrate so that the said laser focus point follows a first path on the said substrate" and "further configured to effect relative lateral movement between said laser focus point and said substrate to move said laser focus point along said first path again so as to remove a second layer of said substrate along said first path." Complementing that apparatus

configuration, the refocusing means provides refocusing of the laser focus point from the first layer to the second layer of the substrate so that moving the laser beam along the first path removes that second layer. As such, the apparatus of claim 9 specifically is configured to carry out the inventive substrate cutting operations and those configuration details are structural limitations of the claim and cannot now be characterized as “statements of intended use.”

The examiner’s further obviousness rejections of claims 11-13 depending from claim 9 based on the ‘606 patent in combination with Published Application US 2001/0035401 (the ‘401 publication) are rendered moot with the allowability of claim 9. Similarly, the examiner’s further obviousness rejections of claims 14-15 depending from claim 9 also are rendered moot for the same reasons.

The examiner will note that the applicant also made minor changes to the language in claim 14 to affirmatively claim the “means to direct fluid.” The applicant also made minor changes to claim 16, to make clear that the cut area being referred to was associated with the layer removal along the first path of the substrate.

Turning then to other amendment details, the applicant adds new claim 17 by the amendments herein. Claim 17 is an independent method claim that uses slightly different language than that of method claim 1. Nonetheless, claim 17 is fully supported by the application as filed and its scope is consistent with the originally presented claims. Indeed, the language of claim 17 directly adopts the examiner’s statement of allowable subject matter and thus should stand in condition for immediate allowance.

Finally, the examiner will note that the applicant made numerous minor amendments to present the claims in a more “polished” form for issuance. For example, in the originally filed claims, the numeral “1” in claim 1 is followed by a “)” rather than the more customary period, while the numeral “2” in claim 2 uses a “.” after the number. In the above amendments, the claim numbering style is changed such that each claim number is followed by the customary “.” rather than by the “)” character. Additionally, as another purely stylistic change, the applicant

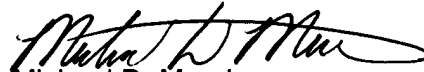
amended claim 9 to claim "An apparatus" rather than simply starting with the word "Apparatus". The dependent claims 10-16 also were amended to start with "The apparatus" rather than the more awkward "Apparatus". None of these stylistic changes were requested by the examiner, and none of them go to any questions of patentability.

Because the applicant has amended rejected claims 9-16 to directly comport to the allowable subject matter, and because new claim 17 is consistent with that subject matter and with allowed claim 1, the applicant believes that the now pending claims 1-17 all stand in condition for immediate allowance. As such, the undersigned agent respectfully requests that the examiner issue a Notice of Allowance for the instant application. If any questions remain unresolved to the examiner's satisfaction, the undersigned agent would welcome a phone call so that any such questions can be resolved quickly.

Respectfully submitted,

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